

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HUMBERTO HORIOL MEDINA
VILLARREAL,

Defendant.

CR 20-24-BU-DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation in this matter on March 26, 2021. (Doc. 87.) Neither party objects, and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge DeSoto recommends that this Court accept Humberto Horiol Medina Villarreal’s guilty plea after he appeared before her pursuant to Federal Rule of Criminal Procedure 11. Mr. Villarreal has pled guilty to Counts I & II of the Superseding Information, charging him with possession with intent to distribute

methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h). (Doc. 72.)

The Court finds no clear error in Judge DeSoto's Findings and Recommendation, and adopts it in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. The Court will await a forfeiture motion from the government before adjudicating that aspect of the case.

Accordingly, IT IS ORDERED that the Findings and Recommendation (Doc. 87) is ADOPTED in full.

IT IS FURTHER ORDERED that Mr. Villarreal's motion to change plea (Doc. 78) is GRANTED.

IT IS FURTHER ORDERED that Mr. Villarreal is adjudged guilty as charged in Counts I & II of the Superseding Information (Doc. 72).

DATED this 13th day of April, 2021.



Dana L. Christensen
District Judge
United States District Court